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# Jason Kenney's proposal to strip citizenship from 'terrorists' undermines Canadian values

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**Opinion / Editorial Opinion****Jason Kenney's proposal to strip citizenship from 'terrorists' undermines Canadian values**

Move would establish two classes of citizens based on birthright privileges.

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CHRIS WATTIE / REUTERS

Immigration Minister Jason Kenney's proposal would expose Canadians to loss of citizenship on very broad grounds. (Jan. 31, 2013)

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**By:** Sean Rehaag Published on Tue Feb 26 2013

Jason Kenney, minister of citizenship and immigration, recently announced a proposal to allow the government to strip dual citizens of their Canadian citizenship for committing terrorism related offences.

This proposal is deeply problematic. It would establish two classes of citizens based on birthright privileges and it would expose Canadians to loss of citizenship on very broad grounds.

Take me as an example.

I was born and raised in Canada. I have lived in Ottawa, Edmonton, Vancouver, Victoria, Montreal and Toronto. I speak French and English. I hold law degrees in English Canada's common law tradition and Quebec's civil law tradition. As a law professor, I contribute to debates on Canadian law and policy, and I teach the next generation of Canadian lawyers. I think of myself as an active citizen who participates in Canadian civic society.

However, I also happen to hold dual nationality. My father was born in Germany and immigrated to Canada as a child. Because he is a German citizen, I am also a German citizen by descent — despite not speaking German and not having ever lived in Germany.

If I committed a terrorism-related offence, should I be stripped of my Canadian citizenship and deported “back” to Germany?

Don't be unreasonable, you might say. I won't lose my citizenship because I'll never commit a terrorism-related offence. Kenney's proposal is not meant for me, it's meant for those bad folks out there, the terrorists who abuse Canadian citizenship.

Unfortunately, terrorism-related offences cover much more than you might think. Courts have repeatedly said that terrorism must be given a "broad and unrestricted definition." Terrorism-related offences include not just acts of violence, but also various types of complicity with terrorist organizations. And, of course, what constitutes a terrorist organization is hotly contested. Should we think, for instance, of Nelson Mandela's African National Congress as a terrorist organization that used violence in a bid to overthrow a government or as a protagonist in the human rights struggle to end apartheid?

A few years ago, I joined hundreds of other Canadians in publicly providing small amounts of money to [Abousfian Abdelrazik](#), a Canadian citizen who had been tortured abroad in Sudan, reportedly due to information provided to Sudanese officials by the Canadian government that he was associated with terrorist organizations.

After his release from Sudanese detention, Abdelrazik tried to return to Canada, but was blocked at every turn by the Canadian government on the grounds that his name was included on a UN anti-terrorism list. At one point, the Canadian government suggested that if he purchased a fully paid flight to Canada, he would be issued travel documents — but then added that anyone who provided him with funds to do so could face charges under Canada's anti-terrorism legislation. This was a clear violation of Abdelrazik's constitutional rights, which is why I and many others made public donations to pay for his flight home.

Ultimately, Canadian courts found that the government had, in bad faith, repeatedly violated Abdelrazik's right as a citizen to return to Canada, and added that there was no evidence on the record that he posed any kind of security threat. The court ordered that he be allowed to return to Canada, and his name has since been removed from the UN anti-terrorism list.

Given the incredible breadth of Canada's anti-terrorism offences and the fact that my father happens to have been born in Germany, if Kenney has his way, I could be vulnerable to loss of citizenship and removal from Canada because of the small donation I made to pay for Abdelrazik's flight. Others — including, for example, [Peter Showler](#), the former chair of Canada's Immigration and Refugee Board — who also made public donations to Abdelrazik, but whose parents were born in Canada, would not face this vulnerability.

In other words: because of where my father was born, I would be a second-class citizen, vulnerable to loss of citizenship due to an act of solidarity with a Canadian citizen who, as confirmed by Canada's courts, was being terribly mistreated by his own government.

Minister Kenney speaks regularly about the need to reinforce the value of Canadian citizenship. His proposal, however, undermines the most important value of Canadian citizenship: the basic equality of citizens, no matter where they — or their parents — were born.

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